

The fair commission has the right idea in getting the counties interested.

WE are to have the best submarines, anyway, cheer up, Josephus!

The Evening Herald

THE baseball situation is saved; the Haps meet the O. R. E. S. tomorrow.

THURSDAY-CITIZEN.
Vol. 26, No. 56.

ALBUQUERQUE, NEW MEXICO, SATURDAY, JULY 10, 1915.

THE EVENING HERALD
VOL. 2, NO. 87.

GERMANY'S NOTE OMITS DIRECT ANSWER

ANCIENT TRAGEDY LAID BARE BY STATE'S STAR WITNESS

Mrs. Porter Describes Events Surrounding Killing of Wealthy Cattleman at Siam, Iowa, 47 Years Ago.

BROTHER-IN-LAW SHOT TRYING TO KILL HER

Murderers of Stockman Threatened to 'Wash Their Hands in Her Blood' and One Lost Life in Attempt.

(By Evening Herald Special Wire)

Quinn, Mo., July 10.—Mrs. Maria Porter, who as a girl watched the bloody battle which a band of desperadoes had wrapped about the body of the rich cattleman, the murdered in Siam, Iowa, in 1868, today told the story of events that led up to the crime, described the killing of the stockman, a large sum of money which the cattleman possessed, related the shooting of Jonathan Davis, her brother-in-law and a member of the band, following a dispute over the treasure, and declared she had held the secret for many years because she feared the threat to the murderers the night of the crime that they would wash their hands in her blood, would be fulfilled if she talked.

Mrs. Porter, whose maiden name was Collins, said she lived with her brothers and sisters and their widowed mother on a little farm near the corner of the corner. Her father, a cooper, lived in a cave. Jonathan Davis, one of the gang, came often to the Collins home and finally married one of Mrs. Porter's sisters.

Early in September, 1868, Mrs. Porter related the circumstances which led to the killing of the cattleman and his wife. The news of the killing was spread in the neighborhood.

"I did not see the killing," said Mrs. Porter. "I had been warned that night and it must have been about 12 o'clock when I heard a noise outside and went out. Five men carrying shotguns were standing in a line, and they came up and told me that if I ever told what I had seen they would wash their hands in my blood."

"I was terrified and promised to keep their secret. They put the body in an old well near the house and then made me wash the quilt, which had been wrapped about the body, and their clothing, which was blood stained."

In the meantime I saw a wagon driven by an ex-convict standing in the road. In the wagon was a chest. The men took the chest away and I afterwards found out that they had buried the chest in a hollow grave. The body of a boy who was with the cattleman also was buried in a shallow grave near the same spot.

Some time after the murder Mrs. Porter and an older sister went to Missouri to Quinn. There, present home where Mrs. Porter had lived more than forty years, Jonathan Davis, her brother-in-law, became fearful that the secret would become known, and came to Quinn to tell her the secret.

"Dark became angry because he thought we did not treat him right and said he would kill me. Mrs. Porter said: 'My sister, look my part and as he reached for his pistol she shot him.' Dark died with his head in my lap."

CARPENTERS WILL RETURN TO WORK IN CHICAGO

Agreement Reached by Both Sides as Compromise Reached Today, Putting 12,000 Men Back on Payrolls.

(By Evening Herald Special Wire)
Chicago, July 10.—The strike of 12,000 union carpenters, which for two months practically has paralyzed the building industry in Chicago, is over.

Statements on all points at issue were reached today after one day's negotiations. The carpenters' union, building construction employers' association and building material interests had been locked in controversy since 2 o'clock yesterday afternoon. The carpenters were ordered to return to work at once.

The agreement reached provides that the men shall receive 10 cents an hour and that they accept what is called a "uniform agreement," which will prevent strikes and lockouts. The agreement is for three years, dating from May 1. It provides for a closed shop and also stipulates that there shall be no restriction regarding the building materials—whether it is manufactured here or elsewhere.

The settlement was regarded by both sides as a compromise.

ELEVENTH AEROPLANE DONATED TO MILITIA BY PRINCETON MAN

(By Evening Herald Special Wire)
New York, July 10.—The use of a Wright airplane for the national guard of the state of New York, New Jersey and Ohio, each to use a plane, has been offered by Ferdinand Eugene, the aeronaut.

Mr. Eugene, who has recently taken up aviation as a sport, has just returned to New York from Dayton, O., where he learned to fly. He took his pilot license in five days, which is a record. He received his first lesson of Wright school on Monday, June 21, and passed his test for the pilot license on Friday, June 25. The aircraft is a Wright X-1 biplane of the military type, and he expects to acquire a flying boat in the near future.

Mr. Eugene, who is a member of the Aero Club of America, is a graduate of Princeton University, where he has resided for many years, and of New Jersey, his native state, and of Ohio, where he learned to fly. He is a member of the Aero Club of America, and he expects to acquire a flying boat in the near future.

This makes eleven aeroplanes of all types that have been placed at the disposal of the militia of different states, so far.

To enable the third battalion of the national militia of New York state to start the organization of an aviation division the United States Army command, which has already offered a flying boat and a course of instruction for pilot and mechanic of the national militia, has offered to loan an additional airplane from the third battalion, which is located at Buffalo, the home of the Curtiss company. Lieutenant Frank Mayhew, junior grade, has been appointed to take the course of training and is now attending the Curtiss school at Buffalo.

The officers of the first battalion of the aviation, this morning authorized the statement that the great flying war loan had been supported in a way that had satisfied the expectations.

INDIANS SEE LIBERTY BELL AT DENVER TODAY

Denver, Colo., July 10.—More than a dozen American Indians were among the first visitors to see the Liberty bell when it arrived in Denver early today. Charles Thompson, 66, veteran of the Mexican and civil wars, claiming to be a descendant of the man who rang the Liberty bell when the Declaration of Independence was adopted, was another early visitor.

LEAHY UPHOLDS DRY VOTE AT FT. SUMNER

Fort Las Vegas, N. M., July 10.—Fort Sumner, Guadalupe county, 100 miles from Fort Sumner, today held a district court today upheld a contention filed by prohibitionists following the local option election in Fort Sumner last August, when the vote received a majority of two.

GOOD CONSCIENCE IS INDICATED IN NOTE, IS VIEW OF GERMANY

Morgen Post Declares Document Handed Ambassador Gerard Is in Every Way Worthy of Nation.

"WILLING TO LESSEN FEARFULNESS OF WAR"

Berlin Paper Declares President Wilson Must Satisfy Changed Feeling on Lusitania Incident in Answer.

(By Evening Herald Special Wire)

Berlin, July 10. (Via London, 11:55 a. m.)—Commenting on the German reply of July 9 to the American note dated June 9, relative to Germany's submarine warfare and its effect on American interests, the Morgen Post today says:

"The answer in every way is worthy of Germany. It shows the calm of a good conscience, a willingness to listen, the fearfulness of war as far as possible and upright wish to live in peace with America. But it also expresses a firm will not to abate one jot or tittle of Germany's rights. The answer clearly shows that the responsibility for the form of submarine warfare rests on Great Britain."

The Morgen Post quotes the American note where it declares that the government of the United States cannot admit that the proclamation of the war was made from which neutral ships have been warned to keep away. It is made to operate as in any other case of international law, and the rights of American ships masters or of American citizens sailing on lawful vessels as passengers on merchant ships of belligerent nationality, and ships.

"This was a point on which American and German conceptions were opposed to each other and it must be pointed out that this difference of opinion is not compromised by the new German note, but rather it still exists in its essential features."

The Morgen Post also says: "Feeling in the United States is changed from what it was at the time of the Lusitania sinking and President Wilson will have to satisfy this new feeling in considering and answering the present note that the note will meet unreserved approval at the hands of a large part of Americans is certain."

GREATEST WAR LOAN IN HISTORY CLOSES EARLY THIS AFTERNOON

(By Evening Herald Special Wire)
London, July 10. (Via New York, 11:00 a. m.)—Subscription raising from 1,000,000 pounds to the greatest war loan in the history of the world closed automatically at the Bank of England at 1 o'clock today, when between 4,500,000 and 5,000,000 pounds will have been lent to the government in the course of three weeks.

Subscriptions to the war loan from the United States are believed to be relatively small.

Reynold McKenna, chancellor of the exchequer, this morning authorized the statement that the great flying war loan had been supported in a way that had satisfied the expectations.

RED CROSS AGENT REACHES EL PASO

(By Evening Herald Special Wire)
El Paso, Tex., July 10.—C. A. DeLo, treasurer general of the United States army, arrived here today in connection with the work of the American Red Cross in the relief of famine conditions in Mexico. General DeLo is gathering information relative to the needs and opportunities for meeting these needs in northern Mexico.

ROOSEVELT WILL GO ON PLATFORM ONLY THREE TIMES ON TRIP

(By Evening Herald Special Wire)
Cleveland, N. C., July 10.—Colonel Theodore Roosevelt has only three engagements to speak during a journey to the coast and the Panama-Pacific exposition which will begin tomorrow night.

COUNTRY WAITS ON NEWS OF PRESIDENT TO FORM OPINION

General Disposition in Official Circles Is to Say Nothing Until Wilson Has Expressed Himself on German Reply to American Note on Lusitania.

OFFICIAL COPY WILL REACH CAPITAL TONIGHT

Tenor of Instrument as Given by Press Regarded as Far from Satisfactory by Diplomats in Washington; Apparent Deadlock Has Been Reached.

(By Evening Herald Special Wire)

Washington, July 10.—President Wilson was in communication today with Secretary Lansing and Secretary Tamm at Washington regarding the latest German note on submarine warfare.

After the president had been told of unofficial versions of the text of the note he made no comment. It was said that he would study carefully the official text as soon as he received it and in the meantime would maintain a strict silence on the entire subject.

OFFICIALS ANXIOUSLY AWAIT PRESIDENT'S VIEWS

Washington, July 10.—A disposition to await the views of President Wilson was the feeling in official quarters here today following publication of the German reply to the American note on submarine warfare.

Secretary Lansing stated that while he had no reason to doubt the correctness of the version transmitted in news dispatches, no formal consideration could be given to the question until Ambassador Gerard's official copy has been received. That probability will reach here late tonight. No word had been received today beyond the fact that it was being telegraphed to Berlin.

The situation was now thought to reside itself entirely into a question of policy which depends on President Wilson.

Opinion varied as to the president's attitude, but it was believed that he would again wait the crystallization of public sentiment in the country and endeavor in his next move to interpret the wishes of the American people.

The whole question, in the minds of many officials, seemed to hinge on whether there is another citation by Germany of the rights for which the United States contends. It was recognized that since the Lusitania was sunk and the negotiations began, German submarines have given warning, as in the case of the Armenian and the Anglo-American. If the German practice continues to spare with international law, some officials here do not believe an academic discussion of principles will be played in Germany by producing the corpse.

On the other hand there was a general belief that any further discussion of American law in connection with the war would bring the situation to a sharp and critical juncture which would make difficult the continuance of the friendly relations.

Treatment of the Lusitania case, however, seemed to be the view of some officials in order a possible obstacle to a prolongation of the negotiations as the United States asked for a dis-

"DISAPPOINTING" IS WORD USED TO DESCRIBE TEUTON NOTE

Press of Country, While Admitting Encouraging Feature in Reply in Some Instances, Dislikes Tone.

EAST GENERALLY MORE INCENSED THAN WEST

"Impudence", "Fatuity", and "Defiance" Used by One Section; Other Sees "No Chip on Shoulder Attitude"

JUDGE WALDO DIES IN KANSAS CITY THIS MORNING

Meager Advices to Friends Here Tell of Unexpected Death of Prominent Figure in State's Legal Circles.

Meager advices from Kansas City to the local legal offices of the Santa Fe Railway company contain the news, extremely sad to friends and acquaintances throughout the south-west, that Judge Henry L. Waldo died this morning in Kansas City. The cause of death is not known here but it was stated that the end came suddenly and was entirely unexpected.

Judge Waldo's connection with the Santa Fe dates back to the time the road was built, when he was an attorney in Santa Fe and became the confidential personal and legal adviser of William B. Strong who took a leading part in that work, for New Mexico. His advice and counsel were also sought upon matters arising in other sections.

Judge Waldo was the son of Laurence Ludlow Waldo and Mary Elizabeth (Cantrell) Waldo and was born in Jackson county, Mo., January 16, 1844. As early as 1823 his father had engaged in merchandising over the Chihuahua and Santa Fe trails and during the rebellion of the Mexicans against the Americans, soon after they had taken possession of the country, was captured near Mora by Manuel Cortez, leader of a band of his hands. He was shot, with five others, by Cortez order.

Only a meager education was obtained by Judge Waldo in the common schools of Jackson county, and though he attended the University of Missouri it was only for part of one year. He crossed the plains to Santa Fe in 1862 with the caravan of George Bryant. Later he returned to Westport, going thence to California a year later. In California he read law and was admitted to the bar. In 1870 he married Lucy Maria Mills, daughter of Dr. Augustus Mills, of Kentucky. Five children were born of this union, three of them surviving. These are: Mamie, Thomas A. and Helen (Waldo) Rogers.

Judge Waldo removed to Santa Fe in 1873, taking charge of the interests of Stephen B. Elkins, then a delegate in congress from the then territory of New Mexico. In 1874 President Grant appointed him to the chief justiceship of the territorial supreme court, where he put an end to the custom of attorneys addressing one jury in Spanish.

On resuming the practice of his profession Judge Waldo formed a partnership with William Breiden, and soon Samuel B. Axell, then governor, appointed him attorney general. He held this office until 1880, when his partner succeeded him at the appointment of Lionel A. Sheldon.

Throughout his term as chief justice and later, his period of incumbency as attorney general, Judge Waldo was a power in the Democratic party, though this apparently weighed but little on the appointing power, which was of the opposite political faith.

While holding the office of attorney general and representing the territory in the courts, the records disclose the fact that he was uniformly successful. In 1883, when the law department of the Santa Fe Railroad company was organized, he was appointed its solicitor for New Mexico, a position which he held until 1912, having in charge all of the business of the company in New Mexico. He gave up his private practice, discharging his partnership with William Breiden in 1893.

Although never a member of the legislature of the territory, probably no one ever drew so many bills passed by it as Judge Waldo, resulting in many benefits to the people. At the same time, it may be said, that through his influence much proposed legislation, vicious and harmful in character, failed of enactment. Charged with the responsibility of guarding great interests in other jurisdictions, the way of politicians and demagogues, his great dignity and untiring character enabled him to deal with political officials and bosses of whatever party fearlessly and without favor.

Judge Waldo was a man of great practical wisdom. In all his professional undertakings and engagements, his striking personality has always been in evidence. Averse to any semblance of notoriety, he was never known to evade responsibility in order to escape possible criticism. For many years the trusted representative of great corporate interests, he never advocated or permitted his influence or name to be used in support of any measure of detriment to the public. He was a plain straightforward, unassuming gentleman, a profound thinker, an able lawyer, and a fearless advocate of what he believed to be for the best.

The principle of freedom of the seas from the slaughter of neutrals has been definitely defined.

The Seattle Times—America's stand is clearly defined. The country must maintain it. We have no fear that the president will yield.

The Associated Press—Standard—An encouraging feature is found in the tone of Germany's note, but considered as a whole it is disappointing in the extreme.

The Butte (Mont.) Post—With respect to the main point at issue, the government of the United States is practically at the point where it was before the first note was sent by the president.

The Spokane (Wash.) Chronicle—The United States cannot now afford to recede from these demands. They were based not only on international law and international precedent, but upon humanity and honor.

The El Paso (Texas) Herald—The

DIAZ PROPAGANDA LARGER THAN IS BELIEVED, SAY OFFICIALS

General Detained at El Paso Heads Expedition on Much Greater Scale Than Is Understood, Is Opinion.

NEW ORLEANS IS NOW ORGANIZATION'S BASE

Believed Arrangements Are Being Made for Co-Operation of Ships With Huerta in Suspected Filibustering

(By Evening Herald Special Wire)

Washington, July 10.—Officials of the state and justice departments conferred today over the case of General Huerta and Felix Diaz. They said there were no developments.

The department of justice now is that the Mexican expedition ascribed to Diaz is on a larger scale than generally understood and that the rendezvous is now at New Orleans. Officials believe ships are being arranged for with a view to co-operate with General Huerta. The subject is under investigation. Secretary Daniels said no naval vessels had been ordered to intercept any ships in connection with the Diaz expedition.

VILLA CLAIMS VICTORY IN BATTLE AT AGUAS CALIENTES

El Paso, Tex., July 10.—Carranza's main army north of Mexico City was defeated south of Aguas Calientes yesterday, according to a message received here today from Colonel Enrique Flores Ruiz, Villa's chief of staff. Colonel Ruiz said that the Carranza forces, which had gained positions close to Aguas Calientes Wednesday and who were repulsed Thursday, according to a message received, are driven back Friday in what he characterizes as a rout.

The field in the south is reported by Villa's staff officer as covered with dead and wounded and back of Villa's lines he said many prisoners are held. The main body of the retreating force, according to Ruiz, is making its way eastward to San Luis Potosi. The line of communication to the south is said to be cut, several of Carranza's trains having been captured. In Villa's camp General Benjamin Hill is believed to be in command of Carranza's forces.

The report from Villa's headquarters indicated that the soldiers of Carranza had had insufficient food for days and that in the pockets of prisoners taken were squash seeds and bits of cactus, materials on which they had been subsisting for days.

Carranza's representatives here were without direct advice from the scene of the fighting.

MEXICO CITY COMPLETELY INVESTED BY CARRANZISTAS

Washington, July 10.—American Consul Sullivan in a message to the state department today from Vera Cruz reported that Mexico City was completely invested by Carranza troops and that General Gonzales had established headquarters at Guadalupe. He also stated that General Obregon reported having repulsed a rear attack upon his forces in the north.

GENERAL MARTIN TRIANA KILLED AT AGUAS CALIENTES

Washington, July 10.—General Martin Triana, who led the Carranza forces in the recent attack on Aguas Calientes, was killed in the battle, according to a message received today by the Villa agency.

HUGHES DECLINES TO GRANT WRIT OF ERROR TO SAVE CHAS. BECKER

(By Evening Herald Special Wire)
Kansas City, Mo., July 10.—Justice Charles E. Hughes has refused the application for a writ of error to the United States supreme court made by counsel for Charles Becker, of New York, who has been condemned to die in the week of July 28 for the murder of Herman Rosenthal, the gambler.

The application was denied upon the ground that there was no substantial federal question.

Archbishop Quigley Staking

Rochester, N. Y., July 10.—Archbishop James Edward Quigley of Chicago was gradually sinking today, his physicians said, and no attempt had been made to feed him for sixty hours.

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(Continued on Page Two.)